

GOVERNMENT OF TELANGANA

ABSTRACT

Public Servants – PR&RD Dept. – Allegation that though he was on duty on the day of trap i.e., on 16.10.2015 failed to sign in the attendance register which maintained in MPDO office, Gajwel against Sri Samala Gopal, A.E., PR Sub-Division, Gajwel Mandal, Medak District - Disciplinary proceedings under Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 340

Dated: 11-05-2017

Read:

ORDER:

It is proposed to hold an enquiry against Sri Samala Gopal, A.E., PR Sub-Division, Gajwel Mandal, Medak District in accordance with the procedure laid down in Rule 20 of the Telangana Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II, III&IV).

3. Sri Samala Gopal, A.E., PR Sub-Division, Gajwel Mandal, Medak District is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri Samala Gopal, A.E., PR Sub-Division, Gajwel Mandal, Medak District is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Samala Gopal, A.E., PR Sub-Division, Gajwel Mandal, Medak District is further informed that if he does not submit his written statement of defence on or before the Period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri Samala Gopal, A.E., PR Sub-Division, Gajwel Mandal, Medak District is invited to Rule 24 of the Telangana Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri Samala Gopal, A.E., PR Sub-Division, Gajwel Mandal, Medak District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Telangana Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

S.P.SINGH

CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

Sri Samala Gopal, A.E., PR Sub-Division, Gajwel Mandal, Medak District
through the Engineer-in-Chief, Panchayat Raj, Hyderabad.

P.T.O.

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The Engineer-in-Chief,Panchayat Raj, Hyderabad.
(with a request to serve and return the acknowledged copy and W.S.D.)

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary to VC, TVC, Hyderabad.

The PR&RD (PR.I) Deptt.,

SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

(Annexure to G.O.Rt.No.340 , PR&RD (Vig.I) Deptt., dt.11.05.2017.)

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI S. GOPAL,
AE., PR SUB DIVISION, GAJWEL OF MEDAK DISTRICT.

That Sri S. Gopal, AE PR Sub-division, Gajwel of Medak district has joined in Government service on 25-02-1991 and later promoted as Asst. Engineer on 23.06.2005 and subsequently he was worked at Panchayath Raj Sub-division, Gajwel as AE from 15-07-2011 to 16-10-2015. While working as AE PR Sub Division, Gajwel he committed grave misconduct in as much as, though he attended his duty on 16-10-2015 he failed to put his signature in the attendance register maintained in the Office of MPP Gajwel of Medak district to the effect of his present on duty there by failed to maintain absolute integrity in violation of T.C.S. (Conduct) Rules 1964.

Thus Sri S. Gopal, AE PR Sub division, Gajwel of Medak Medak district by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct unbecoming of public servant and thereby contravened Rule (3)(1)(2)(3) of Telangana Civil Service (Conduct) Rules 1964.

S.P.SINGH
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

SECTION OFFICER

ANNEXURE-II

(Annexure to G.O.Rt.No. 340 , PR&RD (Vig.I) Deptt., dt.11.05.2017.)

STATEMENT SHOWING THE IMPUTATION OF MIS-CONDUCT IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI S. GOPAL, AE., PR SUB DIVISION, GAJWEL OF MEDAK DISTRICT.

That Sri S. Gopal, AE., PR Sub-division Gajwel of Medak district has joined in Government Service on 25.02.91 and later promoted as Asst. Engineer, in Panchayat Raj department. His date of birth is 01-01-1965. His date of superannuation is 31-12-2022. He worked as AE., Panchayath Raj Sub division, Gajwel of Medak district from 15-07-2011 to 16-10-2015. While working in the aforesaid capacity he committed grave misconduct in as much as he failed to put his signature in the attendance register maintained in the PR Sub-division office, Gajwel to the effect of his present on duty on 16-10-2015 though he was attended his duties on that day. He is hereinafter referred to Government Servant (GS).

While the Government Servant working as AE., Panchayath Raj Sub-division, Gajwel of Medak District from 15-07-2011 to 16-10-2015 he committed grave misconduct in as much as, though he attended his duties, he failed to put his signature in the attendance register maintained in the PR Sub-division office, Gajwel to the effect of his present on duty on 16-10-2015 thereby failed to maintain absolute integrity in violation of T.C.S. (Conduct) Rules 1964.

Brief facts of the case are that, on 15.10.2015 at 10.00 hrs, the complainant G. Laxminarayana s/o Iylaiah, age 50 years Occ: Agri., r/o Akkaram (V) of Gajwel mandal came to ACB, Sangareddy office, Sangareddy and lodged Telugu Written complaint. The following is the gist of the said complaint.

The complainant is the resident of Akkaram village of Gajwel mandal, Medak district. During the month of January 2015 his son by name Sri G. Balachandram took the work of CC roads and construction of drainages worth Rs. 7,50,000/- at Akkaram village. Subsequently, due to financial problems he completed the said work by 15-09-2015. As the son of the complainant Sri G. Balachandram is busy in other works he asked his father to look after the work. After completion of the above work on 25-09-2015 the complainant went to the concerned AE Panchayath Raj Gajwel Sri Gopal and asked him to give the estimation Measurement books of the said work. Upon which the AE Gopal informed him that he would visit Akkaram village and after verifying the work assure the complainant to issue the M Books. Accordingly, on 27-09-2015 the AE visited Akkaram (V), verified the work and asked the complainant to come his office Gajwel on 29-09-2015 to take the M books. Upon which the complaint visited PR office Gajwel on 29-09-2015, met with the AE Gopal and asked for M books. But the AE did not give the M books and told the complainant he will prepare the M books. Later the complainant again on 05-10-2015 went to the Dy. EE office PR Gajwel and met with said AE Gopal and asked about his M books but the AE Sri Gopal told the complainant that he prepared, having signed in the M Books sent to his higher officer i.e., Dy.EE PR Gajwel Sri Chandramouli, by saying so, the AE Gopal demanded the complainant to give Rs. 20,000/- as bribe reward for preparing his M books and Rs.10,000/- bribe to Dy. EE Sri Chandramouli and assured the complainant that he would get the M books signed by the Dy EE otherwise he kept the same in pending. Consequent upon which on the same day, the complainant went to the Dy. EE Sri Chandramouli and having narrated the facts asked him to sign the M books but he too demanded Rs. 10,000/- bribe for signing in the M books and told the complainant that to give his demanded bribe amount to AE Sri Gopal and get the M books. As the complainant unwilling to give the bribe and reward to the AE and Dy EE PR Gajwel he preferred the complaint before the officer to take legal action against the above officers.

On receipt of the above complaint after causing confidential enquires regarding the genuineness of the complaint and repuation of the alleged accused officers and after obtaining permission from the competent authority a case in Cr.No.14/RCT-MDK/2015, u/s 7 of PC Act of 1988 was registered on 16-10-2015 at 1330 hours and took up the investigation.

During the course of investigation, secured the presence of two mediators and briefed the case facts to them, demonstrated the sodium carbonate and phenolphthalein test to them and explained the importance of the test. After that the mediators have drafted the mediators report-I at the office of the Dy. Supdt of Police, ACB Medak at Sangareddy. On completion of the Mediator report-I DSP ACB and other officials along with mediators and the complainant proceeded to Dy. EE PR Sub division office Gajwel, Medak district.

On 16.10.2015 at 1645 hours a trap was laid against accused officer (AO-1) Sri Samala Gopal s/o Rajamalliah, age 50 year, Occ: Asst Engineer, Panchayath Raj Sub-division, Gajwel, R/o H.No: 1-10-29/254/2/66, Subashnagar, Kusaiguda, ECIL., Hyderabad. on receipt of the pre-arranged signal from the complainant the AO-1 was apprehended in presence of the mediators.

Later the DSP ACB got prepared sodium carbonate solution in two glass tumblers and asked the AO-1 Sri Samala Gopal to rinse his right and left hand fingers in separate glass tumblers which are containing colourless sodium carbonate solution. When he did so the colourless solution of the glass tumblers of the right and left hand turned into pink in colour.

Further the DSP ACB questioned the A.O-1 Sri S. Gopal, AE in the presence of mediators as to whether he demanded and accepted any bribe from any one before the arrival of ACB trap party. On that the AO-1 admitted that before coming to ACB party to him complainant Sri G. Laxminarayana came to him and on his demand the complainant handed over bribe amount of Rs.30,000/- by saying so, the AO-1 further admitted that out of Rs.30,000/- bribe amount Rs.10,000/- pertains to (AO-2) Sri P. Chandramouli, Dy. EE for signing in M books remaining Rs.20,000/- pertains to him as bribe reward for preparing the M Books pertaining to work of complainant G. Laxminarayana. Upon which, the DSP asked the AO-1 to produce bribe amount of Rs. 30,000/-. On that AO-1 showed a bunch of currency notes folded in a white paper and laying near the key board of the United internet counter and took out bribe amount from the key board and produced before the DSP ACB and mediators. On the instructions of DSP ACB the mediators took the said tainted bribe amount and checked with the serial number and currency notes noted that of in the mediator report-I and found them tallied.

Further the DSP ACB seized the tainted bribe amount of Rs. 30,000/- kept in a small cover sealed duly attested by himself and mediators.

Later, the DSP ACB asked the AO-1 Sri S. Gopal, AE about the giving of share amount of the AO-2 Sri P. Chandramouli, Dy. EE PR Gajwel, upon which the AO-1 before the mediators admitted that the AO-2 instructed him to take his share of bribe amount of Rs. 10,000/- from the complainant as he was out of station on the day of trap. On his direction the AO-1 took the amount from the complainant.

In the course of further investigation the DSP ACB secured the presence of Executive Engineer, Siddipet superior officer of the accused officers, examined him and recorded his detailed statement wherein he deposed detailed procedural aspects of the work completed by the complainant (LW -1). Further he also stated that on 16-10-2015 (On the day of trap) AO-1 Sri S. Gopal AE and Sri P. Chandramouli, Dy EE PR Gajwel are on their duty at Gajwel. Further in the course of further investigation of the case, when verified the attendance register of MPP office Gajwel where the attendance of Sri S. Gopal, AE working in PR Sub-division Gajwel is being maintained it found that the said AE though he was on duty on 16-10-2015 did not signed in the attendance register to the effect of his presence on duty which is nothing but gross negligence towards the violation of conduct rules.

The DSP ACB addressed a letter to MPDO Gajwel vide Lr.No: 14/RCT-MDK/2015 dated 23-05-2016 with a request to furnish the original attendance register of MPP office Gajwel for the year 2015. Accordingly, the MPDO Gajwel through his letter No: A3/30/2016 dated 23-05-2016 has furnished the above attendance register upon which the DSP ACB seized the same for further investigation.

Thus the G.S by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct unbecoming of a public servant and thereby contravened rules of Telangana Civil Service (Conduct) Rules 1964.

Thus the Government Servant has rendered himself liable for regular departmental action for a major penalty.

S.P.SINGH
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SECTION OFFICER

ANNEXURE-III

(Annexure to G.O.Rt.No.340, PR&RD (Vig.I) Deptt., dt.11.05.2017.)

List of Witnesses:

- 1) Sri Kethavath Mohan S/o Sardar Singh, age 40 years, Occ: Sr. Asst. Office of the Dy EE Operations, Sangareddy, TSSPDCL., Sangareddy, R/o H.No:5-8-127/3-6, Shanthinagar, Sangareddy, Medak district. Cell No: 9441179216
- 2) Sri Dadge Srinivas Rao S/o Narayana age 43 years, Occ: Sr. Asst Office of the SE Operations, Medak at Sangareddy, TSSPDCL, R/o H.No: 4-8-87/8/A, Manjeeranagar, Sangareddy, Medak district Cell No: 9494169327.
- 3) Sri V. Kanakaratnam s/o V. Subba Rao, age 51 years, Occ: Executive Engineer, PR Division, Siddipet, R/o Flat No: 304, Saiswathi Apartment, 6th phase KPHB Colony, near Karnataka Bank, Kukatpally, Hyderabad.
- 4) Sri S. Suryanarayana, DSP ACB Medak District.
- 5) Sri B. Prathap Kumar, Inspector of Police ACB., Medak District.
- 6) Sri S. Naveen Kumar, Inspector of Police ACB., Medak District.

Note: Any other witnesses if found necessary will be produced during the course of the inquiry.

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ANNEXURE-IV

(Annexure to G.O.Rt.No.340, PR&RD (Vig.I) Deptt., dt.11.05.2017.)

List of Documents:

- 1) Original attendance register of the O/o the MPP, Gajwel for the year 2015
- 2) Mediator report-II
- 3) Letter No: A3/30/2016, dated 23-05-2016 of MPDO Gajwel.

Note: Any other document if found necessary will be produced during the course of the Inquiry.

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